

**Town of Foxborough
Conservation Commission Minutes
June 25, 2012**

Members Present: Robert Boette (Chair), Allan Curtis (Vice Chair), Judith Johnson and Valerie Marshall

Absent: Eric Nelson (Clerk), James Marsh and Douglas Davis

Staff Present: Jane Sears Pierce, Conservation Manager, and Lee Ann Tavares, Secretary

Meeting Opened

Chairman Boette opened the meeting, held in the Lower Meeting Room, at 7:00 PM.

Public Comment

Homeowner, Mr. Kurt Yeghian, and his contractor, Mr. Kevin Cahill, were present to discuss a project at 31 West Street. Mr. Yeghian described his project as the restoration of a historic house. He will be removing two structures that were add-on's from the 1970's and replacing them. He stated that he had been before other boards and that the Commission had been notified in April, but he was not made aware of the Commission's requirements. Jane explained that the notification would have gone to the Selectmen's office and that the Commission personally did not receive any information about the project. She added that his contractor, Mr. Cahill, had recently filed a RFD, which is scheduled for review on July 16. Mr. Yeghian stated that he has hay bales that are ready to be installed per Jane's recommendations. Mr. Boette stated that Mr. Yeghian needs to notify the Commission when the hay bales are in and then he can start his project.

52 Neponset Heights, DEP 157-494, Restoration Order

The Chairman announced that the applicants were not able to attend and that they will be in on July 16. They have already met with Jane and she showed them examples of a restoration plan.

Thomas Donnelly, Eagle Scout Project

Thomas Donnelly from Boy Scout Troop 7 in Foxborough was in to discuss potential Eagle Scout projects. Bob suggested upgrading the trails at the Sallie property, including trail markers and information kiosks to hold copies of trail maps. He added that the beginning of the trail, near the Main Street parking lot, needed to be widened. Four by four pressure treated posts were suggested for the trail markers. Using the map designed by intern Sarah Pierce, the Commission identified six juncture points where posts would be needed. Val suggested that the Commission walk the area with Tom. Bob also suggested a Troop project of replacing a bridge off of Oak Street and putting it back on its foundation. This would require a large group as the bridge would be very heavy. Tom explained that, as part of the project, he must create a proposal which he could present to the Commission for approval during their July 30 meeting.

Rental Properties

Jane reported that neither tenant could attend the evening's meeting, but the Zielinski's have indicated that they would not be renewing their lease. She stated that Mr. Zielinski was worried about the pending \$1,800/month rent that would occur after three years. Mrs. Weckbacher notified Jane that they will continue to rent. Jane will be meeting with Mr. Paicos to discuss the rental properties. Val suggested selling the properties and getting out of the rental business altogether.

FY12 Salary Line Budget Shortfall

Jane informed the Commission that there was not enough money in the current budget to cover her payroll to the remainder of the fiscal year. Randy Scollins indicated that the shortfall in her budget salary line was because she hadn't budgeted for a step increase in January. She explained that she was

unaware (1) that she could budget her own step/wage increase and (2) that she had received an increase. Randy had indicated that there was enough money left in the secretary's budget line to the end of the year. She planned to discuss this with the Town Manager and the Finance Director during their meeting on the following day.

34 Pleasant Street, DEP 157-436, Request for Modification

Jane reported that the work will not be closer to the wetland. A letter of approval will be sent to the applicant.

10 Panas Road, DEP 157-447, Request for Modification

The applicant's representative, Mr. Bill Buckley, was present to review the applicant's proposed change in location, as well as type, of catch basin. Jane asked if the proposed basin was MA STEP approved and Mr. Buckley did not know. He will find out and report back to the Commission.

46 Beach Street, DEP 157-494, Request for OoC Amendment,

Information Reviewed:

Letters from Bay Colony Group to FCC dated August 26, 2012, June 25, 2012
Proposed Plan: Sewage Disposal System Design, 46 Beach Street, rev. 6/25/12

The applicant's representatives Bill Buckley of Bay Colony Group and Larry Van Leer attended the meeting. Mr. Buckley presented revised plans showing the trees located in the 25' no disturb zone (NDZ) and along the ridge line. The house had been moved back 10' from the reservoir, as requested, making it 59' away from the wetlands.

Mr. Buckley stated that an arborist had walked the site with Mr. VanLeer and they had painted the one dead tree that they proposed to remove. Judi asked about damage to other trees and Mr. Van Leer stated that if they cut the roots and don't rip them up, it should save the nearby trees. The arborist will come out while the clearing is being done and will help them at the end to do a final report. Mr. Van Leer could not remember the arborist's name, nor did he have the man's card. He did state that he had worked with him in the past.

Judi stressed concern regarding the critical root zone impacts of the trees in the 25' NDZ, as well as off property and she is also concerned about the steep slope. Jane suggested hiring a certified arborist as a third party consultant using a 53G account. Mr. Buckley stated that he didn't agree to the Commission hiring an arborist at Mr. VanLeer's expense. He had agreed to have an arborist handle it when they request a Certificate of Compliance. Mr. Buckley stated that the Commission has never required this before, not even with the stadium. Judi stated that they need to determine potential impacts ahead of time, not during construction or at the end of construction. Mr. Buckley reaffirmed his opposition to boards picking the consultants and dictating the scope of work and asked for a short recess. The Commission agreed.

After a brief recess, Mr. Buckley stated that he would agree to hire a third party consultant, using a 53G account, provided that the Commission gave him a list of two or three arborists and then Mr. Buckley and the Commission could develop the scope of work together.

Judi stated that she wanted the arborist to determine the critical root zones, identify any impacts and provide the construction methodology. Bob reminded Mr. Buckley to take the flags off of the trees to be saved prior to construction to avoid their being cut. Jane will provide a list of arborists.

Motion was made by Allan Curtis to continue to July 16, 2012 at 7:05PM; seconded by Judi Johnson. **Vote: 4-0-0**

Hersey Farm License

Jim will talk to Town Counsel, Lou Ross, about the license and how to proceed.

Department Vacations

Jane will be going to Montana from July 7 through 17, so will need to miss the Commission meeting on July 16, 2012. Lee Ann will also be on vacation from July 5 through 13, so the office will be closed during that week.

Other Discussions

- Jane received a call about a conservation property on Fisher Street where someone might be clearing to create a driveway. She will visit the site tomorrow.
- Jane reported on the Wellfleet Bay Audubon box turtle field school that she and her daughter Sarah attended during the previous weekend. She explained that box turtles are slated to be delisted as endangered species soon, and only those areas identified as habitat will be protected. Jane indicated that she would like to try to identify box turtle habitat in Foxborough and suggested that Sarah take on this project this summer. The Commission agreed.
- Val suggested a community outreach program such as a photo contest to design a logo for T-shirts or something along that line to improve community relations. Jane suggested working with the Recreation Department.

Meeting Adjourned

Motion was made by Allan Curtis to adjourn the meeting; seconded by Val Marshall. **Vote: 4-0-0**
The meeting adjourned at 9:24 p.m.

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Lee Ann Tavares: 7/3/12

Approved by Commission: 10/22/12

Documents, Not Referenced Above, Reviewed During Meeting

Attached Documents:

1. Agenda, June 25, 2012

Location of Other Documents:

2. Manager's Report, filed in Manager's Report binder in Conservation Commission's office.
3. Referenced projects' documents: please see Conservation Commission's project files